

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:16-CV-285**

**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**RICHARD W. DAVIS, JR.,**

**Defendant,**

**and**

**DCG REAL ASSETS, LLC, et al.,**

**Relief Defendants.**

**ORDER GRANTING MOTION FOR  
AUTHORITY TO SELL REAL  
PROPERTY FREE AND CLEAR OF  
LIENS – VACANT RESIDENTIAL LOT**

This matter came before the Court upon the *Motion for Authority to Sell Real Property Free and Clear of Liens – Vacant Residential Lot - Outside of the Case Procedures Due to Special Circumstances* (Doc. No. 169) (the “Motion”) filed by A. Cotten Wright, the duly-appointed receiver in the above-captioned action, through counsel. It appears that notice of the Motion was proper, the deadline to object to the Motion has expired and that no objections were filed in response to the Motion.

The Court, having reviewed the Motion and the record in this case, has determined that it would be in the best interest of the receivership estate to permit the Receiver to sell certain real property—described 5330 Beacon Ridge Dr., Granite Falls, North Carolina 28630, Caldwell County Tax Parcel No. 2795034315, Lot 49 of Anchor’s Landing, Section 5, as recorded in Plat Book 189, Page 144 of the Caldwell County Registry (the “Real Property”) pursuant to the terms of the *Offer to Purchase and Contract – Vacant Lot/Land*, a copy of which is attached to the

Motion as “Exhibit A” (the “Second Contract”).

**IT IS, THEREFORE, ORDERED** that

- (1) The Motion is granted;
- (2) The Receiver is authorized to close on the sale of the Real Property pursuant to the terms of the Second Contract including executing necessary documentation customary in real estate closings such as deeds, lien waivers, 1099 forms and other similar documents;
- (3) The sale shall be free and clear of liens with any lien attaching to proceeds; and
- (4) The Receiver is authorized to deposit the Sale proceeds, net of the realtor commissions, taxes, closing costs, and other expenses typically paid by the sellers in a real property transaction, to the Receivership bank account.

**SO ORDERED.**

Signed: February 16, 2018

A handwritten signature in black ink, reading "Graham C. Mullen", is written over a horizontal line.

Graham C. Mullen  
United States District Judge

